



City of Cambridge

-34.-

CALENDAR ITEM # 2
IN CITY COUNCIL

~~-September 23, 1991-~~
September 30, 1991

VICE MAYOR REEVES
COUNCILLOR MYERS
COUNCILLOR CYR

WHEREAS: There is a high rate of unemployment in the City of Cambridge, among both white and minority residents; and

WHEREAS: Black, Hispanic, Asian, and Native American residents of the City of Cambridge, as well as female residents have historically been systematically excluded from the construction trades and unions and such exclusion can and does exacerbate racial and gender tensions as a result of the competition for scarce jobs; and

WHEREAS: The effect of this high level of unemployment has a serious, substantial and deleterious impact on all the neighborhoods of the City of Cambridge, resulting in the physical deterioration of neighborhoods, poverty, vandalism, and crime; and

WHEREAS: Each year a considerable number of jobs are created on construction projects using City and other public funds, within the City of Cambridge; and

WHEREAS: Cambridge residents should be able to benefit from publicly funded jobs created by this construction activity; and

WHEREAS: The City of Cambridge has established procedures to mitigate the effects of new large scale real estate developments upon the needs of low and moderate income residents of this city, which procedures ensure that developments provide a linkage payment for the production of low and moderate income housing in our city's neighborhoods; and

WHEREAS: In addition to the foregoing it is appropriate for the City of Cambridge to ensure that each major private development which encompasses office, hotel, retail, institutional, or unsubsidized residential development has a Cambridge Residents Construction Employment Plan to ensure employment for Cambridge residents, minorities, and women; and

WHEREAS: In the City of Boston, there is a successful system in place under municipal jurisdiction requiring that fifty percent of certain construction work forces be workers residing in Boston, twenty-five percent be minorities, and ten percent be female; now therefore be it

RESOLVED: That the City Council request the City Manager to investigate the feasibility of establishing a Cambridge Residents Jobs Policy similar to the Boston system, requiring a set percentage of workers, on a craft by craft basis, employed on construction projects in Cambridge using city or other public funds, or any new private project or substantial rehabilitation project to which a building permit has not yet been issued and which impacts upon neighborhoods of this City, be Cambridge residents, minorities and females, and that this Jobs Policy extend to the upcoming Cambridge portion of the Central Artery Project, and that the plan shall further contain provisions for monitoring, compliance, and sanctions, and report back to this Council within two weeks.

In City Council September 30, 1991.

Adopted by the affirmative vote of nine members.

Attest:- Joseph E. Connarton, City Clerk.

A true copy; 

ATTEST:-

Joseph E. Connarton
City Clerk



City of Cambridge

34.

IN CITY COUNCIL

September 23, 1991

VICE MAYOR REEVES
COUNCILLOR MYERS

WHEREAS: There is a high rate of unemployment in the City of Cambridge, among both white and minority residents; and

WHEREAS: Black, Hispanic, Asian, and Native American residents of the City of Cambridge, as well as female residents have historically been systematically excluded from the construction trades and unions and such exclusion can and does exacerbate racial and gender tensions as a result of the competition for scarce jobs; and

WHEREAS: The effect of this high level of unemployment has a serious, substantial and deleterious impact on all the neighborhoods of the City of Cambridge, resulting in the physical deterioration of neighborhoods, poverty, vandalism, and crime; and

WHEREAS: Each year a considerable number of jobs are created on construction projects using City and other public funds, within the City of Cambridge; and

WHEREAS: Cambridge residents should be able to benefit from publicly funded jobs created by this construction activity; and

WHEREAS: The City of Cambridge has established procedures to mitigate the effects of new large scale real estate developments upon the needs of low and moderate income residents of this city, which procedures ensure that developments provide a linkage payment for the production of low and moderate income housing in our city's neighborhoods; and

WHEREAS: In addition to the foregoing it is appropriate for the City of Cambridge to ensure that each major private development which encompasses office, hotel, retail, institutional, or unsubsidized residential development has a Cambridge Residents Construction Employment Plan to ensure employment for Cambridge residents, minorities, and women; and

WHEREAS: In the City of Boston, there is a successful system in place under municipal jurisdiction requiring that fifty percent of certain construction work forces be workers residing in Boston, twenty-five percent be minorities, and ten percent be female; now therefore be it

RESOLVED: That the City Council request the City Manager to investigate the feasibility of establishing a Cambridge Residents Jobs Policy similar to the Boston system, requiring a set percentage of workers, on a craft by craft basis, employed on construction projects in Cambridge using city or other public funds, or any new private project or substantial rehabilitation project to which a building permit has not yet been issued and which impacts upon neighborhoods of this City, be Cambridge residents, minorities and females, and that this Jobs Policy extend to the upcoming Cambridge portion of the Central Artery Project, and that the plan shall further contain provisions for monitoring, compliance, and sanctions, and report back to this Council within two weeks.

CHARTER RIGHT EXERCISED BY COUNCILLOR CYR

CITY OF BOSTON
CONSTRUCTION JOBS HIRING PLAN
A CHRONOLOGY

OCTOBER 15, 1979	City issues Executive Order requiring private contractors to hire 50, 25, and 10 percent residents, minorities and females respectively on all city-sponsored development projects.
FALL 1979	A law suit brought by the Associated General Contractors of Massachusetts and other labor groups is filed with the Massachusetts court.
AUGUST 28, 1981	The Massachusetts Supreme Judicial Court (SJC) unanimously strikes down the Boston's job plan's residency requirement, letting stand the 25 and 10 percent minority and female hiring requirements.
OCTOBER 1981	City retains Harvard University constitutional law professor Lawrence Tribe to argue Boston's case before the U.S. Supreme Court.
FEBRUARY 19, 1982	The U.S. Supreme Court agrees to review the SJC ruling striking down Boston's residency job policy.
FEBRUARY 28, 1983	U.S. Supreme Court upholds Boston's right to enforce 50% residency hiring guidelines on local development projects.
OCTOBER 14, 1983	City Ordinance establishing the Boston Resident Jobs Policy is signed into law. (Ordinance)
NOVEMBER 28, 1984	Liaison Committee named by Mayor Flynn.
DECEMBER 10, 1984	Implementation: Liaison Committee meets in first session.
JULY, 1985	City Ordinance extended to private construction (Via Executive Order)
JULY, 1986	Employment Commission Ordinance passed council.
SEPTEMBER, 1986	Employment Commission passed amended signed.
FEBRUARY, 1987	Employment Commission named - (7)



CITY OF BOSTON • MASSACHUSETTS

OFFICE OF THE MAYOR
RAYMOND L. FLYNNEXECUTIVE ORDEREXTENDING THE BOSTON RESIDENTS JOB POLICY

WHEREAS there is a need to ensure that Boston residents receive maximum benefits from the growing private economy of their city, involving the economic resurgency encompassing office, hotel, retail, institutional and unsubsidized residential development;

WHEREAS there is a high rate of unemployment in the City of Boston, among both white and minority residents;

WHEREAS Black, Hispanic, Asian and Native American residents of the City of Boston, as well as female residents have historically been systematically excluded from the construction trades and unions in the City of Boston and such exclusion can and does exacerbate racial and gender tensions as a result of the competition for scarce construction jobs;

WHEREAS the effect of this high level of unemployment has a serious, substantial and deleterious effect for all the neighborhoods of the City of Boston, resulting in the physical deterioration of neighborhoods, vandalism, and crime;

WHEREAS procedures have been outlined to establish a balance between new large scale real estate developments and the needs of low and moderate income residents of the City of Boston, which procedures provide for the establishment of a Development Impact Project Plan and the execution of a Development Impact Agreement to ensure that developments which afford this opportunity for growth also provide a linkage payment for the production of low and moderate income housing in the city's neighborhoods;

WHEREAS in addition to the foregoing, it is appropriate for the City to ensure that each major private development which encompasses office, hotel, retail, institutional or unsubsidized residential development, has a Boston Residents Construction Employment Plan to ensure employment for Boston residents, minorities and women;

THEREFORE, I do hereby order that the following policy shall take effect as of July 12, 1985:

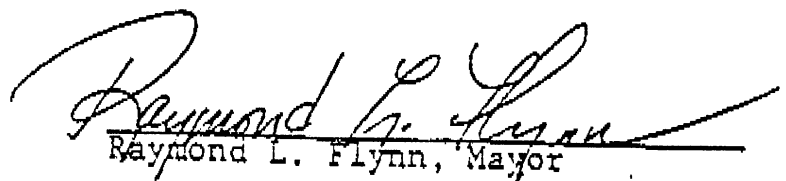
On any new private project or substantial rehabilitation project encompassing office, hotel, retail, institutional or unsubsidized residential development, to which there is a requirement of a Development Impact Project Plan, and to which a Building Permit has not already been issued, that there also be the requirement that the developer submit a Boston Residents Construction Employment Plan to the Boston Redevelopment Authority, which plan shall set forth in detail the developer's

plans to ensure that on a craft by craft basis, the following Boston Residents Construction Employment Standards are met:

- (1) at least 50 percent of the total employee workhours in each trade shall be by bona fide Boston residents;
- (2) at least 25 percent of the total employee workhours in each trade shall be by minorities; and
- (3) at least 10 percent of the total employee workhours in each trade shall be by women.

That plan shall further contain provisions for monitoring, compliance, and sanctions. The Commissioner of Inspectional Services shall not issue any building or use permit with respect to any building, structure, or land which requires a Development Impact Project Plan unless the Director of the Boston Redevelopment Authority has certified on the application for a building or use permit and on each Development Impact Project Plan that the project is consistent with the Boston Redevelopment Authority approved Boston Residents Construction Employment Standards as specified above for said project.

Date: July 12, 1985


Raymond L. Flynn, Mayor

CITY COUNCIL ORDER
VICE MAYOR REEVES

SEPTEMBER 19, 1991

CAMBRIDGE JOBS POLICY

- WHEREAS: There is a high rate of unemployment in the City of Cambridge, among both white and minority residents, and
- WHEREAS: Black, Hispanic, Asian, and Native American residents of the City of Cambridge, as well as female residents have historically been systematically excluded from the construction trades and unions and such exclusion can and does exacerbate racial and gender tensions as a result of the competition for scarce jobs, and
- WHEREAS: The effect of this high level of unemployment has a serious, substantial and deleterious impact on all the neighborhoods of the City of Cambridge, resulting in the physical deterioration of neighborhoods, poverty, vandalism, and crime, and
- WHEREAS: Each year a considerable number of jobs are created on construction projects using City and other public funds, within the City of Cambridge, and
- WHEREAS: Cambridge residents should be able to benefit from publicly funded jobs created by this construction activity, and
- WHEREAS: The City of Cambridge has established procedures to mitigate the effects of new, large scale real estate developments upon the needs of low and moderate income residents of this city, which procedures ensure that developments provide a linkage payment for the production of low and moderate income housing in our city's neighborhoods, and
- WHEREAS: In addition to the foregoing it is appropriate for the City of Cambridge to ensure that each major private development which encompasses office, hotel, retail, institutional, or unsubsidized residential development has a Cambridge Residents Construction Employment Plan to ensure employment for Cambridge residents, minorities, and women, and
- WHEREAS: In the City of Boston, there is a successful system in place under municipal jurisdiction requiring that fifty percent of certain construction work forces be workers residing in Boston, twenty-five percent be minorities, and ten percent be female, now therefore be it
- RESOLVED: That the Cambridge City Council request the City Manager to investigate the feasibility of establishing a Cambridge Residents Jobs Policy similar to the Boston system, requiring a set percentage of workers, on a craft by craft basis, employed on construction projects in Cambridge using city or other public funds, or any new private project or substantial rehabilitation project to which a building permit has not yet been issued and which impacts upon neighborhoods of this City, be Cambridge residents, minorities and

Jobs Policy

females, and that this Jobs Policy extend to the upcoming Cambridge portion of the Central Artery Project, and that the plan shall further contain provisions for monitoring, compliance, and sanctions, and report back to this Council within two weeks.



City of Cambridge

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IN CITY COUNCIL

September 23, 1991

VICE MAYOR REEVES

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Consent Order # 34

Vice Mayor Reeves establishing a
Cambridge Residents Jobs Policy.

In City Council,

Sept. 23, 1991

Charter Right
exercised by
Councillor Cyr.
9/30/91 Order adapted